

Mail Stop Interference
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Paper 1
Filed January 9, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

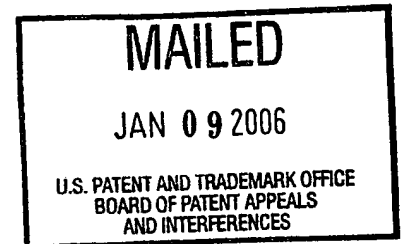
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

WILLIAM A. **BERTHIAUME** and NAREAK DOUK
Junior Party
(Patent 6,110,146),

v.

THOMAS J. **HOLMAN**, LOUIS G. ELLIS,
GREGORY K. OLSON, LINDA R. LORENTZEN CORNELIUS
RICHARD J. TRAXLER and SCOTT M. HANSON
Senior Party
(Application 09/737,118).

Patent Interference No. 105,519 (SCM)
(Technology Center 3700)



DECLARATION - Bd.R. 203(b)¹

Part A. Declaration of interference

An interference is declared (35 U.S.C. 135(a)) between the above-identified parties.

Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 **Part B. Judge managing the interference**

2 Administrative Patent Judge Sally Medley has been designated to manage the
3 interference. Bd. R. 104(a).

4 **Part C. Standing order**

5 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this DECLARATION.
6 The STANDING ORDER applies to this interference.

7 **Part D. Initial conference call**

8 A telephone conference call to discuss the interference is set for **2:00 p.m. on 6 March**
9 **2007** (the Board will initiate the call).

10 No later than **four business days** prior to the conference call, each party shall file and
11 serve (SO §§ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204; SO §§ 104.2.1, 120
12 §204) the party intends to file.

13 A sample schedule for taking action during the motion phase appears as Form 2 in the
14 STANDING ORDER. Counsel are encouraged to discuss the schedule prior to the conference
15 call and to agree on dates for taking action. A typical motion period lasts approximately eight
16 (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

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1 **Part G. Heading to be used on papers**

2 The following heading must be used on all papers filed in this interference, see SO
3 § 106.1.1:
4

5 UNITED STATES PATENT AND TRADEMARK OFFICE

6
7 _____
8 BEFORE THE BOARD OF PATENT APPEALS
9 AND INTERFERENCES
10 _____

11 WILLIAM A. **BERTHIAUME** and NAREAK DOUK

12 Junior Party
13 (Patent 6,110,146),
14

15 v.

16 THOMAS J. **HOLMAN**, LOUIS G. ELLIS,
17 GREGORY K. OLSON, LINDA R. LORENTZEN CORNELIUS
18 RICHARD J. TRAXLER and SCOTT M. HANSON

19 Senior Party
20 (Application 09/737,118).
21 _____
22

23 Patent Interference No. 105,519 (SCM)
24 _____
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29 **Part H. Order form for requesting file copies**
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31 When requesting copies of files, use of SO Form 4 will greatly expedite processing of the
32 request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle
33 around the patents and applications for which a copy of a file wrapper is requested.

 /Sally C. Medley/
 Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Copy of PTO-850 form
Copy U.S. Patent 6,110,146
Copy of claims of 09/737,118

Revised 3 January 2006
cc (via overnight delivery):

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UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Sally C. Medley
Telephone: (571) 272-9797
Facsimile: (571) 273-0042

Applicants:

THOMAS J. **HOLMAN**, LOUIS G. ELLIS,
GREGORY K. OLSON, LINDA R. LORENTZEN
CORNELIUS, RICHARD J. TRAXLER and SCOTT
M. HANSON

Assignee: Boston Scientific Scimed, Inc.

Serial No. 09/737,118

Filed: 12/14/00

For: Catheter with removable balloon
protector and stent delivery system
with removable stent protector

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,519.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/Sally C. Medley/

Sally C. Medley

Administrative Patent Judge

INTERFERENCE DIGEST

Interference No. 105,519

Name:

THOMAS J. **HOLMAN**, LOUIS G. ELLIS,
GREGORY K. OLSON, LINDA R. LORENTZEN CORNELIUS
RICHARD J. TRAXLER and SCOTT M. HANSON

Patent No.:09/737,118

Title: Catheter with removable balloon protector and stent delivery system with removable stent protector

Filed: 12/14/00

Interference with **BERTHIAUME** et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, _____ Dated, _____

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.



UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Sally C. Medley
Telephone: (571) 272-9797
Facsimile: (571) 273-0042

Applicants:
WILLIAM A. BERTHIAUME, and
NAREAK DOUK
Assignee
Medtronic AVE, Inc.
Patent No.06,110,146
Granted:8/29/00
For: Protector for catheter balloon
with guidewire backloading system

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,519.

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/Sally C. Medley/
Sally C. Medley
Administrative Patent Judge

INTERFERENCE DIGEST

Interference No. 105,519

Name: WILLIAM V. **BERTHIAUME** and NAREAK DOUK

Patent No.: 6, 110,146

Title: Protector for catheter balloon with guidewire backloading system

Granted: 8/29/00

Interference with **HOLMAN**, et al

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, _____ Dated, _____

Court, _____ Dated, _____

REMARKS

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